

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, June 3, 2003, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**THOMAS W. WILSON**  
CHAIRMAN  
Fifth District

**JAMES W. SILVA**  
VICE CHAIRMAN  
Second District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**BILL CAMPBELL**  
SUPERVISOR  
Third District

**CHRIS NORBY**  
SUPERVISOR  
Fourth District

ATTENDANCE: All Present

EXCUSED: None

|          |                          |                            |
|----------|--------------------------|----------------------------|
| PRESENT: | COUNTY EXECUTIVE OFFICER | James D. Ruth, Interim CEO |
|          | COUNTY COUNSEL           | Benjamin P. de Mayo        |
|          | CLERK OF THE BOARD       | Darlene J. Bloom           |

INVOCATION: Supervisor Norby, Fourth District, gave the invocation, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chairman Wilson presented a resolution proclaiming June 7, 2003 as Adopt a Pet Day

Supervisor Silva presented a resolution commending Bob Mandic of Mandic Motors

### **II. CONSENT CALENDAR (Items 1-47)**

42135 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 16 & 38 WHICH WERE CONTINUED TO 6/17/03, 9:30 A.M.; ITEMS 33 & 46 WHICH WERE DELETED; AND ITEMS 21, 32, 39 & 47 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

### **BOARD APPOINTMENTS**

**Chairman Wilson:**

1. Waste Management Commission - Appoint John S. Gelff, San Juan Capistrano, to complete term ending 11/18/04

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2. In-Home Supportive Services Advisory Committee - Reappoint Haiganoush (Heidi) Aharonian, Irvine, for term ending 6/2/07

## **Supervisor Norby:**

3. Development Processing Review Committee - Appoint Shivbir S. Grewal, Newport Beach and reappoint Kelly Buffa, Anaheim Hills, for terms concurrent with 4th District Supervisor's term of office
4. Orange County Community Housing Corp. - Appoint Harry Sidhu, Anaheim Hills, for term concurrent with 4th District Supervisor's term of office

## **DEPARTMENT APPOINTMENTS**

5. **Health Care Agency** - Dental Health Advisory Board - Appoint Gladys Smith, Santa Ana, to complete term ending 10/25/03 and Robin R. Bachmann, Huntington Beach, to complete term ending 10/25/04; and reappoint Dolores Barrett, Fullerton, for term ending 10/25/04 - All Districts

## **COMMENDATIONS/PROCLAMATIONS**

6. **Supervisor Silva** - Adopt resolution recognizing and congratulating John Canas on his retirement for thirty nine years of service  
*RESO: 03-155*

## **Supervisor Smith:**

7. Adopt resolution congratulating The Honorable Rosario Marin, 41st U.S. Treasurer, on being selected as "Honorary Woman of the Year" by Hispanic Business Women Association of Orange County  
*RESO: 03-179*
8. Adopt resolution recognizing Theresa Arzate for her leadership of the Hispanic Business Women Association of Orange County  
*RESO: 03-180*
9. Adopt resolution congratulating Lorena Maae on being named Woman of the Year by Hispanic Business Women Association of Orange County  
*RESO: 03-181*
10. Adopt resolution recognizing County of Geochang, Republic of Korea as a partner in mutual economic development and welcoming Magistrate Kim, Tae-Ho and his distinguished delegation  
*RESO: 03-182*

## **Chairman Wilson:**

11. Adopt resolution congratulating Monsignor Paul M. Martin on over forty years of inspiring service to Mission Basilica San Juan Capistrano  
*RESO: 03-183*

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12. Adopt resolution commending Serra Catholic School Academic Decathlon Team on their achievement as National Champions  
*RESO: 03-184*

## **HEALTH CARE AGENCY**

13. Approve price agreement S3000000258 with Morf Management Group, Inc. for medical billing services, 8/8/03 - 8/7/04 (\$20,000) - All Districts
14. Approve master transfer agreement with various community hospitals to accept clinic patients for urgent care - All Districts

## **INTEGRATED WASTE MANAGEMENT DEPARTMENT**

15. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for recent sudden and unexpected movement in landslide mass and necessary emergency repair to complete work, Frank R. Bowerman landfill; set review to determine continuing need for emergency action for 6/17/03, 9:30 a.m. and every 14 days thereafter - District 3 (*4/5 vote*) (Continued from 9/10/02, Item 61; 9/24/02, Item 64; 10/8/02, Item 6; 10/22/02, Item 13; 11/5/02, Item 17; 11/19/02, Item 12; 12/10/02, Item 17; 12/17/02, Item 23; 1/7/03, Item 1; 1/14/03, Item 21; 1/28/03, Item 12; 2/11/03, Item 6; 2/25/03, Item 9; 3/11/03, Item 9; 3/25/03, Item 8; 4/8/03, Item 11; 4/29/03; Item 13; 5/13/03, Item 4; 5/20/03; Item 18)

## **JOHN WAYNE AIRPORT**

16. Approve amended agreement with Parking Concepts, Inc. to eliminate tram service in parking structures; authorize one-time reimbursement (\$17,624.34); increase billing rates in three employee categories; and make California Environmental Quality Act and other findings - District 2 (Continued from 5/20/03, Item 19)
- 42135 **CONTINUED TO 6/17/03, 9:30 A.M.**

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

17. Approve Memorandum of Understanding with State Department of Pesticide Regulation for Structural Fumigation Enforcement Program, 7/1/03 - 6/30/06 (\$5 per fumigation) - All Districts
18. Receive and file development fee deposit reports; and find deposits held more than five years be retained for future projects within specified fee programs - All Districts
19. Approve agreement D01-074 with Cypress for transfer of developer deposits for road improvements (\$27,071.50) - District 2
20. Receive and file Traffic Committee reports dated 4/17/03; approve recommendations; and adopt necessary resolutions - District 5  
*RESO: 03-185 - 03-190*
21. Receive and file status report for Orange County Red Imported Fire Ant Program - All Districts  
32145 **APPROVED AS RECOMMENDED**
22. Receive bids and award contract to Steiny and Company, Inc. for construction of traffic signal system, Las Flores area (\$96,786) - District 5

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23. Accept work with Sully-Miller Contracting Company for asphalt overlay resurfacing and slurry seal of various Harbors, Beaches and Parks facilities, 2000-2001; project completed 12/17/01 (\$475,256.60) - Districts 2, 3 and 4

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- 24. Approve amended price agreement N1000004245 with C. R. I. Lighting for interior/exterior relamp and lighting maintenance at various County facilities (\$32,076; new total \$95,450.24); renewable for one additional year - District 1
- 25. Approve agreement D02-072 with County of San Diego, Ventura County Watershed Protection District, Riverside County Flood Control and Water Conservation District, San Bernardino County Flood Control District, Los Angeles, Santa Ana and San Diego Regional Water Quality Control Boards and the Southern California Coastal Waters Research Project for comparative evaluation of microbial source techniques - All Districts
- 26. Approve escrow agreement D03-010 with ValleyCrest Landscape Development, Inc. and Union Bank of Calif. for deposit of retention monies, Harriett M. Wieder Regional Park, Phase 1A - District 2
- 27. Accept easement deed from Aliso Viejo Community Association for storm drain access purposes; and make California Environmental Quality Act and other findings - District 5
- 28. Accept easement from The Summit Community Association for riding and hiking trail and scenic preservation purposes; accept fee interest from Standard Pacific Corp. for regional park purposes, Weir Canyon Wilderness Park; and make California Environmental Quality Act and other findings - District 3

## **Acting as the Orange County Flood Control District:**

- 29. Declare surplus and approve sale of easement deeds to Santa Ana for widening of MacArthur Boulevard, Santa Ana Gardens Channel; and make California Environmental Quality Act and other findings - District 1
- 30. Approve acquisition contract with and accept easement deed from San Clemente Mini-Storage, LLC for reconstruction of Segunda Deshecha Canada Channel; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act and other findings - District 5

## **Acting as the Board of Supervisors and Orange County Flood Control District:**

- 31. Approve agreement D02-134 with The Keith Companies for on-call surveying services, Prado Dam/Seven Oaks Dam (\$200,000) - All Districts
- 32. Approve and accept easement deeds from and quitclaim deeds to Sanderson J. Ray Woodbridge Self Storage LP and Torah Learning Center, Inc. for realignment of portion of existing bicycle trail easement, San Diego Creek Channel, Irvine; and make California Environmental Quality Act and other findings - District 3
- 34125 **APPROVED AS RECOMMENDED**

## **PUBLIC PROTECTION**

- 33. **District Attorney** - Approve amended lease agreement DA 2003-2 with Fairchild Consolidated to terminate portion of lease for office space, Santa Ana - All Districts
- 42135 **DELETED**

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## Probation:

34. Approve amendment 7 to Special Use Permit with U.S. Department of Agriculture, Forest Services for Los Pinos Conservation Camp, extending terms to 12/31/03; and make California Environmental Quality Act findings - District 5
35. Approve Community United for Fullerton Safety Memorandum of Understanding #2 with Fullerton Joint Union High School District and Fullerton Police Department for grant administration of District Attorney, Probation and law enforcement services, 7/1/02 - 6/30/03; and authorize District Attorney and Chief Probation Officer to extend agreement under certain conditions- District 4

## Sheriff-Coroner:

36. Approve termination of emergency action originally approved on 11/19/02, for replacement of water-damaged walls and floors to stop water leakage from dishwashing operations and to correct unhealthful and unsafe conditions, Theo Lacy Jail kitchen - District 3 (Continued from 11/19/02, Item 90; 12/10/02, Item 48; 12/17/02, Item 61; 1/7/03, Item 5; 1/14/03, Item 63; 1/28/03, Item 31; 2/11/03, Item 20; 2/25/03; Item 37; 3/11/03, Item 21; 3/18/03, Item 18; 3/25/03, Item 18; 4/8/03, Item 36; 4/29/03, Item 53; 5/13/03, Item 16; 5/20/03, Item 35)
37. Approve license agreement with Medix Ambulance Service Inc. for use of Laser Village for training purposes - District 3
38. Receive and file report on pilot program for Law Enforcement Tow System; approve amended price agreement N1000003474 with Dispatch and Tracking Solutions, LLC for tow management services, 7/5/03 - 7/4/04; and authorize purchasing agent to amend agreements with participating tow companies to increase charge to owners of towed vehicles by an amount not to exceed \$6.00 per vehicle - All Districts

42135 **CONTINUED TO 6/17/03, 9:30 A.M.**

39. Adopt resolution authorizing submission of grant application to U.S. Department of Justice, Office of Community Oriented Policing Services for Homeland Security Overtime Program (\$1,000,000); and authorize Sheriff-Coroner to execute related documents - All Districts

12345 **APPROVED AS RECOMMENDED**

X

*RESO: 03-191*

## **GENERAL ADMINISTRATION**

40. **Auditor-Controller** - Authorize relief to Juliette A. Poulson, Health Care Agency and reimbursement to Health Care Agency for cash loss of \$1,235.00 - All Districts
41. **Clerk of the Board** - Approve proposed amendment to the Conflict of Interest Code for the Orange County Public Law Library - All Districts

## County Executive Office:

42. Approve amended price agreement N1000004280 with Tetra Tech ISG for professional and technical services for Water and Environmental program, term ending 12/31/03 (\$50,000; new total \$193,000) - All Districts (Continued from 5/20/03, Item 38)

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- 43 .            Approve proposed response to findings and recommendations 1-6 to FY 2002-03 Grand Jury Report "Drug and Mental Health Court Support for the Criminal Offender" - All Districts
- 44 .            Approve proposed response to finding 1 and recommendations 1-2 to FY 2002-03 Grand Jury Report "Into Safe Arms" - All Districts
- 45 .            Approve standard form agreement for exhibit space, 2003 Orange County Fair; and authorize Agency/Departments Heads to execute individual agreements - All Districts
- 46 .            Authorize transfer of 10 Accounting Series positions from Employee Benefits to CEO for on-site management and scanning of sensitive County documents - All Districts
- 42135        **DELETED**
- 47 .            Adopt resolution approving dissolution of Community Services Agency and transfer all programs to Housing and Community Development Department, effective 7/1/03; renaming Housing and Community Development Department to Housing and Community Services Department; directing staff to make necessary position transfers, budgetary and master position control adjustments; and return to the Board first quarter FY 2003-04 - All Districts
- 24135        **APPROVED AS MODIFIED TO DELETE TRANSFER OF VETERAN'S SERVICES AT THIS TIME AND DIRECTED CEO TO REEVALUATE THE APPROPRIATENESS OF THIS RECOMMENDED TRANSFER AND RETURN TO THE BOARD ON OR BEFORE 7/1/03 WITH RECOMMENDATION**  
*RESO: 03-192*

END OF CONSENT CALENDAR



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## III. DISCUSSION ITEMS (Items 48-72)

### HEALTH CARE AGENCY

48. Approve amendment 2 to agreements with College Community Services, Inc. (\$1,351,390) and Orange County Association for Mental Health dba Mental Health Association of Orange County (\$761,276); and amended agreement with Pacific Clinics (\$1,536,089) for Adult Mental Health Outpatient and CalWORKs services, 7/1/03 - 11/30/03 - All Districts  
15234 **APPROVED AS RECOMMENDED**  
X
49. Approve amended master agreement, term ending 6/30/03 (\$631,503; new total \$1,677,528) and master agreement, 7/1/03 - 6/30/04 with various providers for Mental Health and Psychotropic Medication services - All Districts  
14235 **APPROVED AS RECOMMENDED**  
X
50. Approve master agreements with various hospitals for Hospital and Receiving Hospital services, 7/1/03 - 6/30/04, renewable for one additional year; and for Durable Medical Equipment services, 7/1/03 - 6/30/08 for Medical Services for Indigents Program - All Districts  
13245 **APPROVED AS RECOMMENDED**  
X
51. Receive and file Tobacco Settlement Spending Plan, FY 2003-04; and authorize Agency to implement programs included in accordance with requirements of Measure H - All Districts  
14235 **APPROVED AS RECOMMENDED**  
X

### INTEGRATED WASTE MANAGEMENT DEPARTMENT

52. Select Bon Terra Consulting as primary and P & D Environmental as alternate firms to provide biological services for South County Natural Community Conservation Planning and Phase B Biomitigation project at Prima Deshecha Landfill; and authorize negotiation of agreement for Board approval - District 5  
21345 **APPROVED AS RECOMMENDED**  
X
53. Select Bryan A. Stirrat & Associates as primary and Advanced Earth Sciences, Inc. as alternate firms for construction management and quality assurance/quality control services on development projects at Frank R. Bowerman and other Central Region Landfills; and authorize negotiation of agreement for Board approval - District 3  
34125 **APPROVED AS MODIFIED TO SELECT ADVANCED EARTH SCIENCES, INC. AS**  
NN **PRIMARY AND BRYAN A. STIRRAT & ASSOCIATES AS ALTERNATE FIRMS**

### JOHN WAYNE AIRPORT

54. Approve amendments to certain allocations and related provisions of Phase 2 Commercial Airline Access Plan and Regulation; authorize Director to proceed with allocation of the newly authorized Average Daily Departures and other operating capacity and direct staff to return to the Board within 30 days with amended Phase 2 Access Plan provisions and for ratification of the allocation process - District 2  
23145 **APPROVED AS RECOMMENDED**

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X

## **PLANNING AND DEVELOPMENT SERVICES**

55. Receive and file Financial Status Report - All Districts (Continued from 3/11/03; Item 14; 3/18/03, Item 13; 3/25/03, Item 10; 4/1/03, Item 29; 4/8/03, Item 47; 4/29/03, Item 70; 5/6/03, Item 39; 5/13/03, Item 27; 5/20/03, Item 46)

31245 **APPROVED AS RECOMMENDED**

X

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

56. Approve additional price agreements with various vendors under master price agreement X3000000160 for Information and Technology services, 3/1/03 - 2/28/04 (\$1,276,480); renewable for two additional years; and approve extended price agreements with various vendors, two year term - All Districts

14235 **APPROVED AS RECOMMENDED**

X

57. **Acting as the Board of Supervisors and Orange County Flood Control District** - Authorize negotiation with The Irvine Company for easement for Marshburn Channel, agreement and easement for Bee Canyon and Agua Chinon Channels, and agreement for San Diego Creek/Serrano Creek project and return to the Board for approval; adopt resolution establishing conditions for easement deeds and making California Environmental Quality Act findings; and approve implementation of policy for cost recovery of projects under certain conditions - All Districts

43125 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF RECOMMENDED**

X

**ACTION #3 WHICH WAS CONTINUED TO 7/1/03, 9:30 A.M.**

## **SOCIAL SERVICES AGENCY**

58. Approve contract award recommendations with various Family Resource Centers for Families and Communities Together services, 10/1/03 - 9/30/06; and authorize negotiation of agreements for Board approval - All Districts

31245 **APPROVED AS RECOMMENDED**

X

59. Receive bids and award contract to H.A. Nichols Company, Inc. Construction for remodeling and restructuring of Interim Care Facility, Orange (\$1,184,000) - District 3

34125 **APPROVED AS RECOMMENDED**

X X

## **PUBLIC PROTECTION**

### **Probation:**

60. Approve amended agreement with Community Service Programs, Inc. to provide in-home family intervention services for Central-South Orange County Youth and Family Resource Center, 10/1/02 - 9/30/03 (\$133,691); authorize Chief Probation Officer to extend agreement, 10/1/03 - 9/30/04 (\$199,002) and 10/1/04 - 9/30/05 (\$205,138) - District 3

34125 **APPROVED AS RECOMMENDED**

X X

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61. Approve amended agreement with Community Service Program, Inc. to provide in-home family intervention services for North Early Intervention Program, Orange County Youth and Family Resource Center, 10/1/02 - 9/30/03 (\$14,341; new total \$148,035); and authorize Chief Probation Officer to extend agreement, 10/1/03 - 9/30/04 (\$198,488) and 10/1/04 - 9/30/05 (\$204,514) - District 4

42135  
X X **APPROVED AS RECOMMENDED**

62. Approve amendment 2 to agreement with Community Service Programs, Inc. for community resource collaborative services, Central-South Youth and Family Resource Center, 4/1/03 - 3/31/04 (\$43,445; new total \$265,980); and authorize Chief Probation Officer to extend agreement, 4/1/04 - 12/31/04 (\$220,928) - District 3

32145  
X X **APPROVED AS RECOMMENDED**

## **Sheriff-Coroner:**

63. Reject all bids and return bid guarantee for improvements for Katella Training Facility parking lot, Orange; and approve change order 10 to agreement with DJM Construction Co., Inc. for construction of Katella Training Facility expansion, Orange (\$434,375; new total \$7,734,417.91) - District 3

32145  
X X **APPROVED AS RECOMMENDED**

64. Approve agreement with AT&T Corporation for provision of inmate telephone services, 6/3/03 - 6/2/06; renewable for seven additional years - All Districts

52134 **APPROVED AS RECOMMENDED**

65. Receive and file report on implementation of Mobile Data Computer Hardware; and approve price agreement F1000001857 with CDCE, Inc. for purchase and installation of mobile data computer system hardware and software (\$2,676,207) - All Districts

42135  
X X **APPROVED AS RECOMMENDED**

66. Accept grant award from US Department of Justice for 2002 COPS Technology grant program (\$1,500,000); and authorize County Executive Officer and Sheriff-Coroner to execute all related grant documents - All Districts

43125  
X X **APPROVED AS RECOMMENDED**

## **GENERAL ADMINISTRATION**

### **County Executive Office:**

67. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts

B.O. **DELETED**

68. **Acting as the Orange County Development Agency** - Approve agreement with Newport Beach for construction of a fire station in Santa Ana Heights Redevelopment Project Area - District 2 (Continued from 5/20/03, Item 59)

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B.O.                    CONTINUED TO 6/17/03, 9:30 A.M.

69.                    Authorize feasibility study to analyze issuing Pension Obligation Bonds; and approve selection of finance team - All Districts (Continued from 5/20/03, Item 56)

31245                APPROVED AS RECOMMENDED  
NX

70.                    **Treasurer-Tax Collector** - Approve Merrill Lynch as an authorize Broker-Dealer of County of Orange - All Districts

14235                APPROVED AS RECOMMENDED  
N N

**Supervisor Campbell:**

71.                    Approve legislative program and procedures - All Districts (Continued from 5/6/03, Item 46; 5/20/03, Item 62)

34125                APPROVED AS RECOMMENDED SELECTED OPTION A OF ISSUE 1, WRITTEN  
X X                    CORRESPONDENCE POLICY FOR COUNTY DEPARTMENTS, AND OPTION A OF  
                         ISSUE 2, SPONSORED LEGISLATION AND COUNTY ACTION ON A BILL

72.                    Discussion of a monthly report on the "Financial Condition of Orange County" - All Districts  
DISCUSSED

## IV. PUBLIC HEARINGS (None)

## V. CLOSED SESSION (None)

## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### PUBLIC COMMENTS:

Charles Griffin - Oral Re: County airport issues

James Robert Reade & Alma Ramirez - Oral Re: Concerns regarding court system discrimination

Cynthia Hanna, Tiffany Adams, Xuan Pham & Theresa Telles - Oral Re: United Domestic Workers compensation & benefits

Darrell A. Nolta - Oral Re: Grand Jury Report "Who Represents Orange County Taxpayers"

### BOARD COMMENTS:

Supervisor Norby - Oral Re: Announced his office was hosting a legislative open house on Friday, 6/6/03, 4:00--7:00 p.m.

### ADJOURNED: 1:29 P.M.

24135                On behalf of Chairman Wilson, adjourned in memory of Jack Leaning  
X X

32145                Adjourned in memory of Judy Dempsey  
X X

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\*\*\* KEY \*\*\*

## *Left Margin Notes*

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Campbell
4. ✓ Supervisor Norby
5. ✓ Chairman Wilson

- A. ✓ Abstained  
X. ✓ Excused  
N. ✓ No  
BO ✓ Board Order

## *Right Margin Notes*

- O. ✓ Ordinance  
R. ✓ Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*THOMAS W. WILSON, CHAIRMAN*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*